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TRANSCRIPT OF A SPECIAL MEETING
OF THE
STATE OF NEVADA
PRIVATE INVESTIGATORS LICENSING BOARD

Monday, March 26, 2018
9:00 a.m.

Northern Nevada Location:
Office of the Attorney General
100 North Carson Street
Mock Court Room
Carson City, Nevada

Southern Nevada Location (Videoconferenced):
Grant Sawyer State Office Building
555 East Washington Avenue
Attorney General Conference Room, Suite 4500
Las Vegas, Nevada

REPORTED BY: SHANNON L. TAYLOR, CCR, CSR, RMR
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A P P E A R A N C E S

Board Members Present:

Mark Zane, Chairman (Las Vegas)
Jim Colbert (Carson City)
Raymond Flynn (absent)
Jim Nadeau (Carson City)
Tammy Nixon (Las Vegas)

Also: Kevin Ingram (Las Vegas)
Executive Director

Rosalie Bordelove (Las Vegas)
Deputy Attorney General
Board Counsel/Prosecutor

Michael Detmer (Las Vegas)
Deputy Attorney General
Board Counsel

Shawn Mahan (Carson City)
Investigator

Mary Klemme (Carson City)
Investigative Assistant

Other Participants:

Richard G. Campbell, Jr., Esq. (Carson City)
Mahmoud Hendi (Carson City)

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1 CARSON CITY, NEVADA, MONDAY, MARCH 26, 2018, 9:00 A.M.

2 -oOo-

3 BOARD CHAIRMAN ZANE: Okay. Let's call the
4 meeting to order. This is a special meeting of the
5 Private Investigators Licensing Board.

6 Can we have roll call, please?

7 MR. INGRAM: Yes, sir.

8 Board Member Colbert?

9 BOARD MEMBER COLBERT: Here.

10 MR. INGRAM: Board Member Nadeau?

11 BOARD MEMBER NADEAU: Here.

12 MR. INGRAM: Board Member Nixon?

13 BOARD MEMBER NIXON: Here.

14 BOARD CHAIRMAN ZANE: And Chairman Zane?

15 BOARD CHAIRMAN ZANE: Here.

16 MR. INGRAM: Ray Flynn will not be attending
17 today.

18 BOARD CHAIRMAN ZANE: Item number two on the
19 agenda is a call for a public comment. Is there anyone
20 in the audience that would like to give public comment
21 at this time? Anybody in the north?

22 BOARD MEMBER NADEAU: No.

23 BOARD MEMBER COLBERT: No.

24 BOARD CHAIRMAN ZANE: Anybody in the south?

25 Nobody here. Okay. Item number three, anyone

1 giving testimony today would need to be sworn in at this
2 time. Are we anticipating any testimony today?

3 MS. BORDELOVE: No. It's not an evidentiary
4 hearing, so.

5 BOARD CHAIRMAN ZANE: Okay. With that in mind,
6 then we'll go to number four, settlement agreement
7 proposal, PILB v. ESI Security Services.

8 Who's leading off?

9 MR. CAMPBELL: Rick Campbell here on behalf of
10 ESI, along with Mr. Hendi.

11 MS. BORDELOVE: I don't have a whole lot to go
12 into. I believe, the Board received the settlement
13 agreement ahead of time and has had a chance to review
14 it. I think, I can speak at least on behalf of -- it is
15 the Board that would be recommending it be accepted.
16 And, I guess, that's in the case of ESI as well, but
17 I'll let Rick Campbell speak to that. I'm available
18 here for any questions you may have with respect to the
19 agreement or any aspects relating to it.

20 BOARD CHAIRMAN ZANE: Do we have appearance of
21 Board counsel on the record?

22 MR. DETMER: I apologize. Mike Detmer from the
23 Attorney General's Office acting as Board counsel.

24 BOARD CHAIRMAN ZANE: Okay. Thank you.

25 Did we miss anybody?

1 MR. DETMER: I think, that's it.

2 BOARD CHAIRMAN ZANE: Thank you.

3 Mr. Campbell, do you have anything to say?

4 MR. CAMPBELL: No, I'm here to answer any
5 questions. Ms. Bordelove and I and the parties have
6 negotiated this a couple weeks ago, and then we're
7 working on fine-tuning the language, and I think we have
8 a good agreement.

9 BOARD CHAIRMAN ZANE: Thank you, sir.

10 Do we have Board questions regarding the agenda
11 item?

12 BOARD MEMBER NADEAU: I have no questions.
13 Thank you, Mr. Chairman. I've reviewed the stipulated
14 agreement, and I have no questions.

15 BOARD MEMBER COLBERT: Nor do I, sir.

16 BOARD MEMBER NIXON: I don't.

17 BOARD CHAIRMAN ZANE: Okay. As usual, I'll be
18 the stick-in-the-mud here. As I understand it, the
19 settlement incorporates the attorney's fees from the
20 prior settlement agreement. Is that correct?

21 MS. BORDELOVE: No.

22 BOARD CHAIRMAN ZANE: No. So the attorney's
23 fees specified here would not be those that were
24 inclusive of the 2016 settlement agreement?

25 MS. BORDELOVE: Right. This is completely

1 separate from the 2016 agreement. The 2016 agreement's
2 mentioned in here because it's kind of giving the
3 history. But the attorney's fees listed in here are to
4 be paid, I guess, in addition or separately from
5 anything in the 2016 agreement.

6 BOARD CHAIRMAN ZANE: Okay. The only reason
7 that I raised that is I wanted to make sure that the
8 record was clear that -- I don't know that it's been
9 resolved or not, but a few months ago, I was made aware
10 that there was some issue regarding services of the
11 counsel on the other case, this 2016 case, and whether
12 or not there were some fees owed, since they were
13 awarded. And there was a -- I was contacted because the
14 attorney, Raelene Palmer, was not getting it resolved
15 with the Attorney General's Office because of a lack of
16 communications one way or the other. And at the time --
17 and, like I say, this was several months ago. It may be
18 all resolved by now. I have no idea.

19 MS. BORDELOVE: I think, any dispute that that
20 might be is between, I think, her and the Board but
21 isn't in relation to ESI, because they paid the fees
22 under the 2016 agreement to the Board.

23 BOARD CHAIRMAN ZANE: Okay. That gives me the
24 clarity to that one. That's the only thing I had to
25 raise on the issue.

1 Any other Board questions, comment?

2 Entertain a motion.

3 BOARD MEMBER NADEAU: Mr. Chair?

4 BOARD CHAIRMAN ZANE: Yes, sir.

5 BOARD MEMBER NADEAU: Let me make sure I make
6 this appropriately. But I would move that the Board
7 accept the Stipulation for Settlement of Disciplinary
8 Action Agreement.

9 BOARD CHAIRMAN ZANE: We have a motion. Do we
10 have a second?

11 BOARD MEMBER COLBERT: Second.

12 BOARD CHAIRMAN ZANE: Okay. We have a motion
13 and a second. Any Board comment or question regarding
14 the motion?

15 BOARD MEMBER NADEAU: No, but I would like to
16 check with counsel and make sure that that was the
17 appropriate motion.

18 MR. DETMER: The motion was fine. But we do
19 have to be certain that the settlement agreement itself
20 is made part of the record where it be incorporated by
21 reference.

22 BOARD MEMBER NADEAU: Thank you.

23 BOARD CHAIRMAN ZANE: Now, as I understand the
24 motion, in the event that -- unlike the previous
25 settlement agreement that we had, in the event that, oh,

1 let's say, ESI doesn't pay the fees due by the last day
2 of December, that that isn't considered a disciplinary
3 action for any further issue, that just goes to
4 collections, right?

5 MS. BORDELOVE: I mean it could be potentially,
6 if they weren't to pay amounts, it could be potentially
7 considered a breach, I would think. But we also could
8 just go to collections on it. We attempted to make the
9 payment date to be clear --

10 BOARD CHAIRMAN ZANE: Yes.

11 MS. BORDELOVE: -- in this agreement. That was
12 intentional. And so, hopefully, we don't have any
13 issues on that. But if we do, I guess that I -- I don't
14 know if you want to speak to this at all, Rick. It
15 would be my understanding, if the payment dates were
16 missed, that could potentially be considered a breach.
17 But the agreement does also allow to us proceed in
18 collections, and that route might just be --

19 MR. CAMPBELL: Chairman Zane, it's unlike the
20 2016 stipulation whereby a late payment was considered a
21 breach that was, that could lead to disciplinary action.
22 It wasn't worded this way. It was really worded such
23 that if Mr. Hendi doesn't pay in time, then collection
24 actions are the remedy to go after him.

25 BOARD CHAIRMAN ZANE: Okay. Thank you.

1 MR. CAMPBELL: Because all of the underlying
2 notices of violation or court cases are all being
3 dismissed as part of the consideration and payment of
4 the attorney's fees and fines. So there is no, there
5 are no more underlying violations or court cases left
6 after the stipulation is approved.

7 BOARD CHAIRMAN ZANE: Okay. Thank you.
8 Any other Board questions on the motion?
9 All in favor, say "aye."

10 (Board members said "aye.")

11 BOARD CHAIRMAN ZANE: Any opposed, say "no."
12 It carries unanimous.

13 Okay. Do we have any Board comment on future
14 agenda items?

15 Hearing none, is there any public comment now
16 that we're done with one through five? Any public
17 comment in the north?

18 BOARD MEMBER NADEAU: Nothing here.

19 BOARD CHAIRMAN ZANE: No public comment in the
20 south.

21 I move we adjourn.

22 BOARD MEMBER COLBERT: Second.

23 BOARD CHAIRMAN ZANE: Thank you all.

24 * * * * *

25 (The meeting adjourned at 9:09 a.m.)

REPORTER'S CERTIFICATE

I, SHANNON L. TAYLOR, a Nevada Certified Court Reporter, Nevada CCR #322, do hereby certify:

That I was present at the Office of the Attorney General, 100 North Carson Street, Mock Court Room, Carson City, Nevada, on Monday, March 26, 2018, for a matter scheduled for 9:00 a.m., and commencing at 9:00 a.m. took stenotype notes of a special meeting of the State of Nevada Private Investigators Licensing Board;

That I thereafter transcribed the aforementioned stenotype notes into typewriting as herein appears, and that the within transcript, consisting of pages 1 through 11, is a full, true, and correct transcription of said stenotype notes of said meeting;

I further certify that I am not an attorney or counsel for any of the parties, not a relative or employee of any attorney or counsel connected with the actions, nor financially interested in the actions.

DATED: At Carson City, Nevada, this 30th day of March, 2018.

SHANNON L. TAYLOR
Nevada CCR #322, RMR